

BILL NO. Z-70-11-05 (Amended)

ZONING MPA ORDINANCE NO. Z- 141-71

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. EE-16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. EE-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 52 and that portion of Lot 53 lying East  
of State Highway No. 3, Baer Road, in Bluffton  
Interurban Gardens Extended.

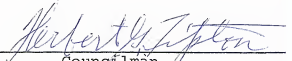
SECTION 2. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. EE-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter of Section 33,  
Township 30 North, Range 12 East in Allen  
County, Indiana and described as follows:

Commencing at a point being the South-  
east corner of Lot 52 in Bluffton Interurban  
Gardens Extended; thence running south 126.7  
feet to a point; thence south 74 degrees  
east 306.24 feet to the centerline of McArthur  
Drive; thence southwesterly along the center-  
line 192 feet to a point; thence north 65  
degrees west to a point; said point also being  
the east right-of-way line of State Highway  
#3, Baer Road; thence in a northerly direction  
along the east right-of-way line to the south  
line of Lot 53 in Bluffton Interurban Gardens

Extended; thence east along the south  
line of Lots 53 and 52 in said addition  
to the place of beginning.

SECTION 3. This Ordinance shall be in full force and  
effect from and after its passage, approval by the Mayor, and  
legal publication thereof.

  
Councilman

  
APPROVED AS TO FORM  
AND LEGALITY.

CITY ATTORNEY

Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the (Committee on) \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

Thad G. Bonachoon  
City Clerk

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage.  
Passed (~~lost~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date

3-28-71

Thad G. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 214-71

on the 23 day of March, 19 71.

ATTEST:

(SEAL)

Thad G. Bonachoon  
City Clerk

Phil A. Steigerwald  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24<sup>th</sup> day of March, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Thad G. Bonachoon  
City Clerk

Approved and signed by me this 24<sup>th</sup> day of March, 19 71, at the hour of 1:30 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 10, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-11-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1971; and,

WHEREAS, this Plan Commission finds that in the interest of the public and the spirit of the Zoning Ordinance, said proposed bill to rezone could be improved by deleting the letters and number "B3B" for Lot 52 and that portion of Lot 53 lying east of State Road #3 in Bluffton Interurban Gardens Extended Addition and substituting therefor the letter and number "R3", and that such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal;

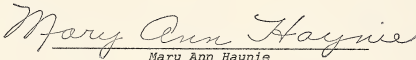
NOW THEREFORE, BE IT RESOLVED that said ordinance be amended by deleting the letters and number "B3B" for Lot 52 and that portion of Lot 53 lying east of State Road #3 in Bluffton Interurban Gardens Extended Addition and substituting therefor the letter and number "R3"; and,

1. That such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal; and,
2. That as so amended, said ordinance DO PASS,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 25, 1971.

Certified and signed this  
15th day of March 1971.

  
Mary Ann Haynie  
Secretary

Bill No. Z-70-11-05

Amended

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. EE-16,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS. as Amended.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

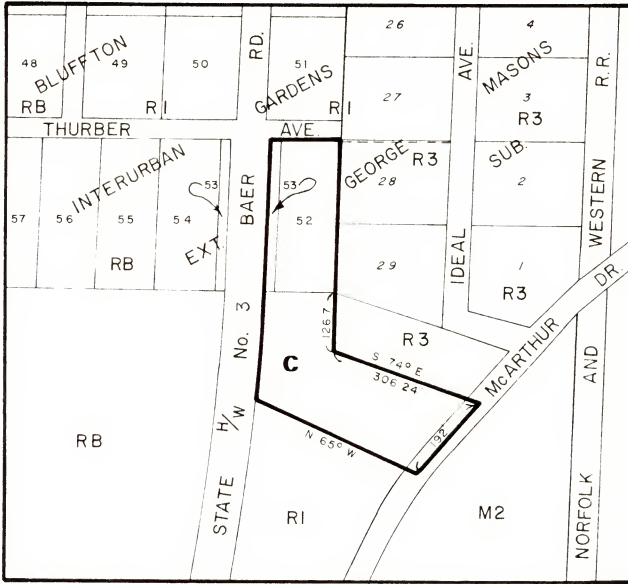
CONCURRED IN

DATE                      FUAD G. BONAHOOM, CITY CLERK

## RECEIPT

GENERAL FUND

N<sup>o</sup> 36FT. WAYNE, IND., Oct. 19 19 70RECEIVED FROM Toukour, Bensch & Orell \$ 25<sup>00</sup>THE SUM OF Twenty five <sup>70</sup>/<sub>100</sub> DOLLARSON ACCOUNT OF McHair EstateClivian B. Huffman  
AUTHORIZED SIGNATURE



**C** CHANGE FROM RI TO B3B

*2-10-11-05*



BILL NO. Z-70-11-05

ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. EE-16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. EE-16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 52 and that portion of 53 lying east of State Highway #3, Baer Road; in Bluffton Interurban Gardens Extended; also a part of the northwest quarter of Section 33, Township 30 North, Range 12 East in Allen County, Indiana and described as follows:

Commencing at a point being the Southeast corner of Lot 52 in Bluffton Interurban Gardens Extended; thence running south 126.7 feet to a point; thence south 74 degrees east 306.24 feet to the centerline of McArthur Drive; thence southwesterly along the centerline 192 feet to a point; thence north 65 degrees west to a point, said point also being the east right-of-way line of State Highway #3, Baer Road; thence in a northerly direction along the east right-of-way line to the south line of Lot 53 in Bluffton Interurban Gardens Extended; thence east along the south line of Lots 53 and 52 in said addition to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.



APPROVED AS TO FORM  
AND LEGALITY.



CITY ATTORNEY



Read the first time in full and on motion by Dunifon seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 11-10-70

Frederic J. Bonachon.  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	_____,	NAYS	_____,	ABSTAINED	_____,	ABSENT	_____,	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	
Dunifon	_____	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	_____	
Rousseau	_____	_____	_____	_____	_____	_____	_____	
Steigerwald	_____	_____	_____	_____	_____	_____	_____	
Tipton	_____	_____	_____	_____	_____	_____	_____	

Date \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No Z-

on the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_.M.,E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this 24<sup>th</sup> day of March, 19671.  
at the hour of 1:31 o'clock P.M.,E.S.T.

Harold A. Zeis  
Mayor

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an R1 District to a/an B3B District, the real estate described as follows, to-wit:

Lot 52 and that portion of 53 lying east of State Highway # 3, Baer Road; in Bluffton Interurban Gardens Extended, also a part of the northwest quarter of Section 33, Township 30 North, Range 12 east in Allen County, Indiana and described as follows:

Commencing at a point being the Southeast corner of Lot 52 in Bluffton Interurban Gardens Extended; thence running south 126.7 feet to a point; thence south 74 degrees east 306.24 feet to the centerline of McArthur Drive; thence southwesterly along the centerline 192 feet to a point; thence north 65 degrees west to a point, said point also being the east right-of-way line of State Highway # 3, Baer Road; thence in a northerly direction along the east right-of-way line to the south line of Lot 53 in Bluffton Interurban Gardens extended; thence east along the south line of Lots 53 and 52 in said addition to the place of beginning.

~~will be conducted indoors. The neighborhood wherein the land is located is composed of other repair operations. The intended rezoning would, if granted, make it possible to put the land to its highest and best possible use.~~

FORT WAYNE NATIONAL BANK

By

*James W. Metting*  
Executor of the Will of  
Marie J. Metting, deceased

PETITION TO REZONE

We, the undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council to enact an ordinance to reclassify from a/an R1 District to a/an B3B District, the real estate described as follows, to-wit:

Lot 52 and that portion of 53 lying east of State Highway # 3, Baer Road; in Bluffton Interurban Gardens Extended, also a part of the northwest quarter of Section 33, Township 30 North, Range 12 east in Allen County, Indiana and described as follows:

The intended use of the real estate, after the same has been rezoned, is to conduct a trailer repair, sales and service operation. The intended operator of ~~said repair business will be Jack Schoeph, who proposes to~~ construct a building to house the repair operations. The repair operations will be conducted indoors. The neighborhood wherein the land is located is composed of other repair operations. The intended rezoning would, if granted, make it possible to put the land to its highest and best possible use.

FORT WAYNE NATIONAL BANK

By Samuel W. Metting  
Executor of the Will of  
Marie J. Metting, deceased





To JOURNAL-GAZETTE Dr

FORT WAYNE, INDIANA

## LINE COUNT

Head	number of lines	<u>1</u>
Body	number of lines	<u>104</u>
Tail	number of lines	<u>1</u>
Total number of lines in notice		<u>105</u>

105 lines, columns wide equals equivalent lines at 288¢ 30.24  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

#### DATA FOR COMPUTING COST

Width of single column 11 ems                      Size of type..... $5\frac{1}{2}$ .....point

Number of insertions 2.....                      Size of quad upon which type is cast..... $5\frac{1}{8}$ .....

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Title CLERK

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

April 3, 1971

April 16, 1971

Subscribed and sworn to before me this 13th day of April 1971

My commission expires March 8, 1974

[illegible]

Notary Public  
March 4, 1934

My commission expires March 8, 1974